

ZONING MAP CHANGE REPORT

Meeting Date: September 4, 2012

Table A. Summary			
Application Summary			
Case Number	Z1200008	Jurisdiction	City
Applicant	B. Wallace Design & Construction	Submittal Date	April 9, 2012
Reference Name	Old Chapel Hill Residential	Site Acreage	4.06
Location	4002, 4004, 4012, and 4016 Old Chapel Hill Road, north side of Old Chapel Hill Road between Knightsbridge Court on the west and Mohawk Trail on the east.		
PIN(s)	0810-17-01-7231, -8271, -11-0218, -1222		
Request			
Proposed Zoning	Planned Development Residential 4.000 (PDR 4.000)	Proposal	13 single family residential lots
Site Characteristics			
Development Tier	Suburban Tier		
Land Use Designation	Low Density Residential (4 DU/Ac. or less), Low-Medium Density Residential (4 – 8 DU/Ac.), Office		
Existing Zoning	Residential Suburban – 20 (RS-20)		
Existing Use	Vacant		
Overlay	n/a	Drainage Basin	Jordan Lake
River Basin	Cape Fear	Stream Basin	New Hope Creek
Determination/Recommendation/Comments			
Staff	Staff determines that this request is consistent with the <i>Comprehensive Plan</i> , and other adopted policies and ordinances.		
Planning Commission	Approval, 12 – 1 on July 10, 2012. The Planning Commission finds that the ordinance request is consistent with the adopted <i>Comprehensive Plan</i> . The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing, the information in the staff report.		
DOST	No comments		
BPAC	See Appendix A, Attachment 7, Durham Bicycle & Pedestrian Advisory Commission Memo		

A. Summary

This is a request to change the zoning designation of a four-parcel, 4.06 acre site from RS-20 to PDR 4.000 for a single-family development of 13 houses. The site is located at 4002, 4004, 4012, and 4016 Old Chapel Hill Road, north side of Old Chapel Hill Road between Knightsbridge Court on the west and Mohawk Trail on the east. (see Attachment 1, Context Map). This request is consistent with the future land use designation of the *Comprehensive Plan* which designates this site as Low Density Residential (4 DU/Ac. or less), Low-Medium Density Residential (4 – 8 DU/Ac.), and Office. No residential development is being proposed on the Office-designated portion of the site; it is committed tree preservation area.

Appendix A provides supporting information.

B. Site History

There have been no recent development requests for this site.

C. Review Requirements

Planning staff has performed a sufficiency review for this Zoning Map Change request (reference UDO Sec. 3.2.4, Application Requirements [general] and 3.5.5, Application Requirements [for a Zoning Map Change]). This staff report presents the staff findings per Sec. 3.5.8, Action by the Planning Director, on the request's consistency with the Unified Development Ordinance and applicable adopted plans.

This review is based primarily on compliance with any applicable laws, plans, or adopted policies of the City Council. Any issues or concerns raised in this report are based on best professional planning practice unless they have a basis in adopted plans, policies, and/or laws.

D. Unified Development Ordinance (UDO) Compliance

This request is consistent with the requirements of the Unified Development Ordinance. The associated development plan (see Appendix A, Attachment 4, Development Plan reduction) provides the required elements for zoning map change requests in the PDR district (Sec. 3.5.6.D, Sec. 6.11.3). In addition, commitments in excess of UDO requirements have been made (see Appendix D for supporting information):

Text Commitments. Text commitments have been proffered to commit to requirements in excess of ordinance standards. These commitments (see Table D5, Summary of Development Plan) include: housing type as single-family and dedication of right-of-way along Old Chapel Hill Road.

Graphic Commitments. A graphic commitment has been proffered which identifies the location of the tree preservation area and location of the access point.

Determination. The requested PDR 4.000 zoning district and associated development plan meets or exceeds the applicable requirements of the UDO. If this zoning map change request is approved, the attached development plan (Appendix A, Attachment 4) establishes the level of development allowed on the property.

E. Adopted Plans

A zoning map change request must be consistent with the *Comprehensive Plan*. As such, other adopted plans have been included by reference in this document. Table E, Adopted Plans, in Appendix E identifies the applicable policies of the *Comprehensive Plan* and other adopted plans included by reference.

Determination. The requested zoning district and associated development is consistent with the Future Land Use Map and other policies of the *Comprehensive Plan*.

Conditions in other adopted plans have been identified (see Appendix E, Table E):

Long Range Bicycle Plan Map 4.6. A proposed bicycle lane along Old Chapel Hill Road is shown as a recommendation of the Long Range Bicycle Plan Map 4.6. If approved, this project is not required to construct road improvements and therefore does not warrant improvements associated with the bicycle lane.

F. Site Conditions and Context

Site Conditions. The 4.06-acre site is located at 4002, 4004, 4012, and 4016 Old Chapel Hill Road, north side of Old Chapel Hill Road between Knightsbridge Court on the west and Mohawk Trail on the east. Each of the lots have remnant single-family structures, with 4012 Old Chapel Hill Road being a nonconforming lot with three single-family houses. With the exception of the building footprints, the lots are comprised of a mature pine forest with some hardwoods (see Attachment 3, Aerial Photography). The site drains away from Old Chapel Hill Road to a stream running east-west at the rear of the site.

Area Characteristics. The site is in the Suburban Tier near at the intersection of Garrett Road and Old Chapel Hill Road (see Appendix A, Attachment 1, Context Map). The site is at the transition from low density single family development to the east and south where land use patterns transition to more intense uses along and between University Drive and Durham-Chapel Hill Boulevard (US Highway 15-501 Business). The surrounding zoning districts include RS-20, Office Institutional (OI), and Residential Urban – 5 (RU-5).

Appendix F provides a summary of the uses and zoning in the more immediate vicinity of the subject site.

Determination. The proposed PDR 4.000 district meets the ordinance and policy requirements in relation to development on the subject site. The proposed 4 DU/Ac. project would create an appropriate transition from the RU-5 (approx. 5 DU/Ac.) district to the west and the RS-20 (approximately 2 DU/Ac.) to the east. The stream and required buffer to the rear of the subject property creates a natural buffer from the office

development to the north. If redeveloped, the nonconforming parcel at 4012 Old Chapel Hill Road would be brought into conformity.

G. Infrastructure

The impact of the requested change has been evaluated to suggest its potential impact on the transportation system, water and sewer systems, and schools. In each case, the impact of the change is evaluated based upon a change from the most intense development using the existing land use and zoning to the most intense use allowed under the request.

See Appendix G for additional information.

Determination. The proposed PDR 4.000 district is consistent with *Comprehensive Plan* policies regarding infrastructure impacts.

H. Staff Analysis

This request is consistent with the *Comprehensive Plan* and other policies and ordinances. If the requested PDR 4.000 zoning designation were approved, the development plan would further establish the development potential of the proposed single-family residential development.

I. Contacts

Table I. Contacts		
Staff Contact		
Amy Wolff, Senior Planner	Ph: 919-560-4137, ext. 28235	Amy.Wolff@DurhamNC.gov
Applicant Contact		
Agent: Jarrod Edens, Edens Land Corp	Ph: 919-706-0550	Jarrod.edens@edensland.com

J. Notification

Staff certifies that newspaper advertisements, letters to property owners within 600 feet of the site and the posting of a zoning sign on the property has been carried out in accordance with Section 3.2.5 of the UDO. In addition, the following neighborhood organizations were mailed notices:

- Inter-Neighborhood Council
- Fayetteville Street Planning Group
- Friends of Durham
- Unity in the Community for Progress

K. Summary of Planning Commission Meeting July 10, 2012 (Case Z1200008)

Zoning Map Change Request: RS-20 to PDR 4.00

Staff Report: Ms. Wolff presented the staff report.

Public Hearing: Vice Chair Monds opened the public hearing. Two individuals spoke in favor and one against. Vice Chair Monds closed the public hearing.

Commission Discussion: Discussion centered on the drainage, wetness of the site, and the possibility of fencing.

Motion: To approve. (Mr. Smudski, Ms. Mitchell-Allen 2nd)

Action: Motion carried, 12-1 (Mr. Whitley voting no).

Findings: The Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing, the information in the staff report.

L. Supporting Information

Table K. Supporting Information		
Applicability of Supporting Information		
Appendix A	Application	Attachments: 1. Context Map 2. Future Land Use Map 3. Aerial Photography 4. Development Plan Reduction 5. Application 6. Owner's Acknowledgement 7. BPAC Memo 8. Submittal and Review History
Appendix B	Site History	n/a
Appendix C	Review Requirements	n/a
Appendix D	Unified Development Ordinance	Table D1: Designation Intent Table D2: District Requirements Table D3: Environmental Protection Table D4: Project Boundary Buffers Table D5: Summary of Development Plan
Appendix E	Adopted Plans	Table E: Adopted Plans
Appendix F	Site Conditions and Context	Table F: Site Context
Appendix G	Infrastructure	Table G1: Road Impacts Table G2: Transit Impacts

		Table G3: Utility Impacts Table G4: Drainage/Stormwater Impacts Table G5: School Impacts Table G6: Water Impacts
Appendix H	Staff Analysis	n/a
Appendix I	Contacts	n/a
Appendix J	Notification	n/a
Appendix K	Summary of Planning Commission Meeting	Attachments 9. Planning Commissioner's Written Comments 10. Ordinance Form

Appendix A: Application Supporting Information

Attachments:

1. Context Map
2. Future Land Use Map
3. Aerial Photography
4. Development Plan Reduction
5. Application
6. Owner's Acknowledgement
7. BPAC Memo
8. Submittal and Review History

Appendix D: Unified Development Plan Supporting Information

Table D1. UDO Designation Intent	
PDR	Planned Development Residential - the PDR district is established to allow for design flexibility in residential development. A development plan is required with a request for this district, which shows a conceptual representation of the proposed site that indicates how the ordinance standards could be met. Any significant change to the development plan would require a new zoning petition. While PDR is primarily a residential district, other uses may be allowed under limited provisions of the ordinance.

Table D2. District Requirements – PDR			
	Code Provision	Required	Committed
Minimum Site Area (acres)	6.11.3.B.1	4	4.06
Residential Density (maximum)	6.11.3.C	Specified on plan	4.00 (DU/Ac.)
Maximum Height (feet)	6.11.3.C.3	35	35
Minimum Street Yard (feet)	6.11.3.E.1	8	8
Minimum Open Space (%)	6.11.3.F	16 (0.64 ac.)	16 (0.64 ac.)

Table D3. Environmental Protection			
Resource Feature	UDO Provision	Required	Committed
Tree Coverage	8.3.1C	20% (0.80 acres)	20% (0.80)
Stream Protection (buffer in feet)	8.5.4.B	50	50

Table D4. Project Boundary Buffers			
Cardinal Direction	Adjacent Zone	Required Opacity	Proposed Opacity
North	OI	0.2/0.6	0.6 (30 feet)
	RS-20	0/0	0/0
East	RS-20	0/0	0/0
South	RS-20	n/a (right-of-way greater than 60 feet)	n/a
West	RU-5	0.2/0.4	0.4 (20 feet)

Table D5. Summary of Development Plan		
Components	Description	Development Plan Sheet
Required Information	Intensity/Density. 13 single-family units	Cover, D-2
	Building/Parking Envelope (not required for single-family development)	n/a
	Project Boundary Buffers are appropriately shown	D-2

Table D5. Summary of Development Plan		
	Stream Crossing. None shown.	n/a
	Access Points. One (1) access point has been identified.	D-2
	Dedications and Reservations. None	n/a
	Impervious Area. 45.0% = 1.80 acres	D-2
	Environmental Features. Stream.	D-1, D-2
	Areas for Preservation. Stream buffer.	D-2
	Tree Coverage. 20% (0.80 acres) as shown.	D-2
Graphic Commitments	Location of tree preservation area. Location of access point.	D-2
Text Commitments	1. The proposed development will be limited to single family residential uses. 2. Prior to the issuance of any building permit: dedicate five feet of additional right-of-way for the frontage of the site along Old Chapel Hill Road.	Cover
SIA Commitments	None provided	n/a

Appendix E: Adopted Plans Supporting Information

Table E. Adopted Plans	
Comprehensive Plan	
Policy	Requirement
Future Land Use Map	Low Density Residential (4 DU/Ac. or less) Low-Medium Density Residential (4-8 DU/Ac. or less), Office
2.2.2a	Suburban Tier Development Focus
2.3.1b	Contiguous Development
8.1.2j	Transportation Level of Service
8.1.4d	Development Review and the Adopted Bicycle Plans
11.1.1a	School Level of Service Standard
11.1.1b	Adequate Schools Facilities
Long Range Bicycle Plan	
Map 4-6 shows a proposed bicycle lane along Old Chapel Hill Road.	

Appendix F: Site Conditions and Context Supporting Information

Table F. Site Context			
	Existing Uses	Zoning Districts	Overlays
North	Office, single-family residential	OI, RS-20	None
East	Single-family residential	RS-20	None
South	Single-family residential	RS-20	None
West	Single-family residential	RU-5	None

Appendix G: Infrastructure Supporting Information

Table G1. Road Impacts		
Old Chapel Hill Road and University Drive are the major roads impacted by the proposed zoning change. There are no scheduled City of Durham or NCDOT roadway improvement projects in the area.		
Affected Segments	Old Chapel Hill Road	University Drive
Current Roadway Capacity (LOS D) (AADT)	11,900	33,200
Latest Traffic Volume (AADT)	6,800	15,000
Traffic Generated by Present Designation (average 24 hour)*	67	
Traffic Generated by Proposed Designation (average 24 hour)**	124	
Impact of Proposed Designation	+57	

Source of LOS Capacity: FDOT Generalized Level of Service Volume Table 4-1 (2009)

Old Chapel Hill Road: 2-lane City/County Roadway without left-turn lanes

University Drive: 4-lane divided Class II arterial with left-turn lanes

Source of Latest Traffic Volume: 2009 NCDOT Traffic Count Map

***Assumption-** (Max Use of Existing Zoning) – RS-20: 7 single-family lots

**** Assumption-** (Max Use of Proposed Zoning) – PDR 4.000: 13 single-family lots

Table G2. Transit Impacts
Transit service is currently provided within one-quarter mile of the site along University Drive via DATA Route #10. The closest bus stops are at the intersection of Old Chapel Hill Road and Garret Road and University Drive at University Place.

Table G3. Utility Impacts
This site is served by City water and sewer.

Table G4. Drainage/Stormwater Impacts
The impacts of any change will be assessed at the time of site plan review. The subject site is of sufficient size and shape to accommodate appropriate stormwater facilities that may be required at this time.

Table G5. School Impacts			
The proposed zoning is estimated to generate four students. This represents an increase of one student over the existing zoning. Durham Public Schools serving the site are Hope Valley Elementary School, Githens Middle School, and Jordan High School.			
Students	Elementary School	Middle School	High School
Current Building Capacity	15,864	8,647	9,916
Maximum Building Capacity (110% of Building Capacity)	17,450	9,512	10,908
20th Day Attendance (2011-12 School Year)	15,827	7,008	9,686
Committed to Date (July 2009 – June 2012)	384	124	81
Available Capacity	1,239	2,380	1,141
Potential Students Generated – Current Zoning*	1	1	1
Potential Students Generated – Proposed Zoning**	2	1	1
Impact of Proposed Zoning	+1	0	0

*Assumption (Max Use of Existing Zone) – 7 single-family units

**Assumption (Max Use of Proposed Zoning) – 13 single-family units

Table G6. Water Supply Impacts	
This site is estimated to generate a total of 2,015 GPD if developed to its maximum potential with the proposed zoning district. This represents an increase of 930 GPD over the existing zoning district.	
Current Water Supply Capacity	37.00 MGD
Present Usage	28.06 MGD
Approved Zoning Map Changes (July 2009 – June 2012)	0.70 MGD
Available Capacity	8.24 MGD
Estimated Water Demand Under Present Zoning*	2,015 GPD
Potential Water Demand Under Proposed Zoning**	1,085 GPD
Potential Impact of Zoning Map Change	+930

Notes: MGD = Million gallons per day

*Assumption- (Max Use of Existing Zoning) –7 single-family units

** Assumption- (Max Use of Proposed Zoning) – 13 single-family units

Appendix K: Summary of Planning Commission Meeting

Attachments

9. Planning Commissioner's Written Comments
10. Ordinance Form